

CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 7/16/13	NEED RESPONSE BY: 7/23/13
2. REQUESTOR NAME: 3. PHONE NO.: 4. REGULATION CITE(S): 63-801.512	6. COUNTY/ORGANIZATION: County of Santa Barbara 7. SUBJECT: Suspending Collection of IHE and Admin Error Claims 8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Under CF Reg 63-801.512, the collection of IHE and Admin claims can be suspended or terminated when the following conditions apply:

- (a) The household cannot be located; or
- (b) The cost of further collection action is likely to exceed the amount that can be recovered.

Would this regulation apply to a case scenario where the single person household is deceased? Could the collection of any claim be terminated if the person is deceased? If in the event, there was a CalFresh balance at the time the person expired, could the balance be applied to offset an over-issuance?

10. REQUESTOR'S PROPOSED ANSWER:

CF Reg 63-801.512 - Suspending and terminating collection of claims applies when a person cannot be located. We could interpret this to include a situation when the person is deceased. Therefore the county may suspend/terminate the collection of a claim when a person has expired. Regarding the situation when there is a CF balance in the same month a person expires, the county may not collect an outstanding claims as the CF recipient is no longer liable due to his/her demise. Is this a correct?

11. STATE POLICY RESPONSE (CFPB USE ONLY):

CDSS concurs with the proposed response.

FOR CDSS USE

DATE RECEIVED: 7/17/13	DATE RESPONDED TO COUNTY/ALJ: 7/24/13 JN
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